

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
WINCHESTER DIVISION

CRISTOBAL PASCUAL, DAVID)
JIMENEZ, and OSCAR PARRA, on behalf)
of themselves and all similarly situated)
individuals) COLLECTIVE ACTION
)
Plaintiffs,) CASE NO. 4:14-cv-00008
)
v.) Judge Harry S. Mattice, Jr.
) Magistrate Judge Susan K. Lee
CORSICANA BEDDING, INC.,)
)
Defendant.)

**JOINT MOTION FOR CONDITIONAL CERTIFICATION OF A COLLECTIVE
ACTION AND COURT-SUPERVISED NOTICE PURSUANT TO 29 U.S.C. § 216(b)**

Plaintiffs Cristobal Pascual, David Jimenez, and Oscar Parra (“Plaintiffs”) and Defendant Corsicana Bedding, Inc. (“Defendant”) hereby jointly move this Court, pursuant to Section 16(b) of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 216(b), to conditionally certify a class of alleged similarly situated production employees who worked for a piece rate at Defendant’s mattress factory in Shelbyville, Tennessee at any time during the alleged statutory period since February 3, 2011. The Plaintiffs assert and, for the purposes of conditional certification only, Defendant does not contest,¹ that Plaintiffs and members of the proposed class are similarly situated.

¹ Defendant reserves the right to file a motion for decertification following discovery. By filing this Joint Motion, Defendant does not concede any alleged willful violation of the FLSA, and it reserves all rights to contest that issue as it pertains to the applicable limitations period, any alleged damages, or any other issue.

A proposed Order, proposed Notice, and proposed Consent form are attached hereto as Exhibits A, B, and C, respectively.

DATED: July 2, 2014

RESPECTFULLY SUBMITTED,

**BARRETT JOHNSTON MARTIN
& GARRISON, LLC**
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Joint Motion for Conditional Certification was filed electronically with the Clerk of the Court using the CM/ECF system to the following counsel for Defendants:

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on this the 2nd day of July, 2014.

/s/ David W. Garrison
DAVID W. GARRISON
BARRETT JOHNSTON MARTIN
& GARRISON, LLC